

Children & Family Affairs Committee Amendment No. 1

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 3352

House Bill No. 3362*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-5-109, is amended by designating the existing language as subsection "(a)", and by adding the following language as new, appropriately designated subsections:

(b) Notwithstanding any provisions of subsection (a) or any other law to the contrary, before the department of children's services may issue a license, other than a renewal license, or certificate to operate or expand a facility for independent living for six (6) or more children in state custody or at risk of entering state custody, the applicant for the license, certificate, or expansion of such independent living facility shall, at the applicant's expense obtain community input regarding the application, such as a public hearing or other methods in accordance with departmental rules.

(c) Before issuing a license or certificate described by subsection (b), the department shall consider:

(1) the amount of local resources available to support residents proposed to be served by the applicant;

(2) the impact of the proposed facility and services on the community and its effect on opportunities for local interaction for the residents proposed to be served by the applicant;

(d) The department may deny the application if the department determines that granting the application would have a significant adverse impact on the community or

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would limit opportunities for social interaction for the residents proposed to be served by the applicant.

(e) The provisions of this act do not apply to independent living facilities licensed by the department of mental health and mental retardation.

(f) As used in this act, unless the context otherwise requires:

(1) "Department" means the department of children's services.

(2) "Facility" means a facility that is to provide its resident occupants with independent living.

(3) "Resident" means the children or youth who are occupants of the facility.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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